

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

10 CV 2825

PEARSON EDUCATION, INC., :
JOHN WILEY & SONS, INC., AND :
THE MCGRAW-HILL COMPANIES, INC., :

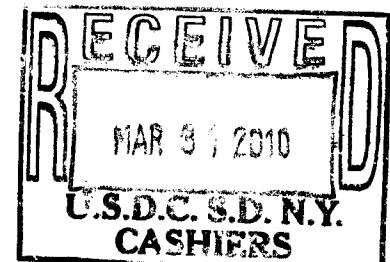
JUDGE McMAHON

Plaintiffs, :

-against- : 10 Civ.

PRAVEEN MEHROTRA D/B/A :
JSEUS007 D/B/A MEHROTRA_ISKING :
D/B/A PRAVY123 AND JOHN DOE :
NOS. 1-5, :

Defendants. :



COMPLAINT

Plaintiffs Pearson Education, Inc. ("Pearson"), John Wiley & Sons, Inc. ("Wiley") and The McGraw-Hill Companies, Inc. ("McGraw-Hill"), by their undersigned attorneys, for their complaint against defendants Praveen Mehrotra d/b/a Jseus007 d/b/a Mehrotra_isking d/b/a Pravy123 and John Doe Nos. 1-5 aver:

Nature of the Action

1. Plaintiffs are bringing this action to obtain legal and equitable relief to remedy defendants' infringement of plaintiffs' copyrights through their sales of copies of instructors' solution manuals and ebooks.

Jurisdiction and Venue

2. This court has subject matter jurisdiction over the claim in this action pursuant to 28 U.S.C. §§ 1331 and 1338 because it arises under the Copyright Act, 17 U.S.C. § 101 et seq.

3. Upon information and belief, venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400(a).

Parties

4. Pearson is a corporation organized and existing under the laws of the State of Delaware with its principal place of business at One Lake Street, Upper Saddle River, New Jersey 07458.

5. Wiley is a corporation organized and existing under the laws of the State of New York with its principal place of business at 111 River Street, Hoboken, New Jersey 07030.

6. McGraw-Hill is a corporation organized and existing under the laws of the State of New York with its principal place of business at 1221 Avenue of the Americas, New York, New York 10020.

7. Upon information and belief, defendant Praveen Mehrotra is a natural person presently residing at 1363 Dunnock Way, Sunnyvale, California 94087.

8. Upon information and belief defendants John Doe Nos. 1-5 are natural persons whose identities are presently unknown to plaintiffs.

The Business of Plaintiffs

9. Each plaintiff publishes a variety of works, including educational books.

10. As a standard practice, each plaintiff requires its authors to assign the copyrights to it or grant it the exclusive rights of reproduction and distribution in the United States. This practice enables each plaintiff to maximize the dissemination of each work.

11. Plaintiffs invest significant monies to publish their copyrighted works. Plaintiffs, for example, make substantial investments in royalties, content creation, licensing, copyediting, proofreading, typesetting, layout, printing, binding, distribution, and promotion.

12. Plaintiffs earn a substantial portion of their revenue from the publication of their copyrighted works and would suffer serious financial injury if their copyrights were not enforced. A substantial decline in their income could cause plaintiffs to cease publishing one or more deserving books or journals. This would adversely impact the creation of new works, scholarly endeavor, and scientific progress.

13. An important part of plaintiffs' business is derived from publishing college books. College professors select books from competing publishers based on the pedagogical value and the quality of supplementary materials.

14. Instructors' solutions manuals are important supplementary materials. Professors use instructors' solutions manuals to aid in grading homework. Students, however, use instructors' solutions manuals to cheat. Professors are less likely to select a textbook if the instructors' solutions manual is freely and/or widely available. Accordingly, plaintiffs do not sell their instructors' solutions manuals, and tightly control their distribution to known faculty.

Plaintiffs' Copyrights

15. Plaintiffs routinely register their copyrights. Pearson has generally registered its copyrights in its works, including the works on Schedule A (the "Pearson Copyrights"). Wiley has generally registered its copyrights in its works, including the works on Schedule B (the "Wiley Copyrights"). McGraw-Hill has generally registered its copyrights in its works, including the works on Schedule C (the "McGraw-Hill Copyrights").

The Infringing Acts of Defendants

16. Defendants have, without permission, reproduced and sold copies of plaintiffs' works. Specifically, defendants

have reproduced and sold copies of plaintiffs' textbooks and plaintiffs' instructors solutions manuals through online sales at websites and forums including but not limited to Sjsnetworking.com, Best-seller.desi, Farsa.gr, Half.com and Facebook.com, using usernames including but not limited to mehrotra_isking, Jseus007, and Pravy123, and the e-mail addresses including, but not limited to, mehrotra_is_king@aol.com.in, jesus0007@ymail.com, easybooks_support_us@hotmail.com, easybooks_support_in@hotmail.com, and praveen_mehrotra2002@yahoo.com.

CLAIM FOR RELIEF

(Copyright Infringement - 17 U.S.C. § 501)

17. Plaintiffs repeat the averments contained in paragraphs 1 through 16 as if set forth in full.

18. Pearson has received United States Certificates of Copyright Registration for the Pearson Copyrights.

19. Wiley has received the United States Certificates of Copyright Registration for the Wiley Copyrights.

20. McGraw-Hill has received United States Certificates of Copyright Registration for the McGraw-Hill Copyrights.

21. The Pearson, Wiley and McGraw-Hill Copyrights are valid and enforceable.

22. Defendants have infringed the Pearson, Wiley and McGraw-Hill Copyrights in violation of 17 U.S.C. § 501.

23. Defendants' acts have irreparably damaged and unless enjoined, will continue to irreparably damage plaintiffs. Plaintiffs have no adequate remedy at law for these wrongs or injuries. Plaintiffs are, therefore entitled to a preliminary and permanent injunction restraining and enjoining defendants and their agents, servants, employees, and attorneys and all persons acting in concert with them, from infringing the Pearson, Wiley and McGraw-Hill Copyrights.

24. Defendants have willfully infringed the Pearson, Wiley and McGraw-Hill Copyrights.

25. Plaintiffs are entitled to recover all damages sustained as a result of defendants' unlawful conduct including (1) defendants' profits, or (2) plaintiffs' damages, or alternatively (3) statutory damages.

WHEREFORE, plaintiffs demand judgment:

A. Preliminarily and permanently enjoining defendants, their agents, servants, employees, and attorneys and all those acting in concert with them from infringing the Pearson, Wiley and McGraw-Hill Copyrights in violation of 17 U.S.C. § 501;

B. Awarding plaintiffs their damages or defendants' profits or alternatively, at plaintiffs' election, statutory

damages, as a result of defendants' willful infringement of the Pearson, Wiley and McGraw-Hill Copyrights.

C. Awarding plaintiffs their costs in this action, including their reasonable attorneys' fees pursuant to 17 U.S.C. § 505; and

D. Granting such other and further relief as to this Court seems just and proper.

Dated: New York, New York
March 31, 2010

DUNNEGAN LLC

By 

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New York, New York 10118

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Schedule A
"Pearson Copyrights"

Title (Author) (Edition) (Date of Registration) (Registration #)

1. Elements of Chemical Reaction Engineering (Timothy Hubbard) (Third Edition) (June 16, 1999) (TX0004938289)
2. Cost Accounting: A Managerial Emphasis (Charles Horngren) (Seventh Edition) (January 2, 1991) (TX0002991534)
3. Biology (Neil Campbell) (Seventh Edition) (June 26, 2005) (PA0001289603)
4. Probability & Statistics for Engineers & Scientists (Ronald Walpole) (Eighth Edition) (March 5, 2008) (TX0006845863)
5. Elements of Chemical Reaction Engineering (H. Scott Fogler) (Fourth Edition) (December 29, 2005) (TX0006272349)
6. Computer Networks (Andrew Tanenbaum) (Fourth Edition) (September 5, 2002) (TX0005619281)
7. Modern Operating Systems (Andrew Tanenbaum) (Third Edition) (February 29, 2008) (TX0006843629)
8. Computer Organization and Architecture: Designing for Performance (William Stallings) (Seventh Edition) (September 2, 2005) (TX0006226053)
9. Digital Integrated Circuits: A Design Perspective (Jan M. Rabaey) (Second Edition) (February 4, 2003) (TX0005677564)
10. Management Information Systems: Managing the Digital Firm (Kenneth C. Laudon) (Ninth Edition) (April 7, 2005) (TX0006149849)
11. Discrete Time Signal Processing (Alan V. Oppenheim) (Second Edition) (September 23, 1999) (TX0005068606)
12. Semiconductor Device Fundamentals (Robert F. Pierret) (First Edition) (February 28, 1996) (TX0004201811)
13. Solid State Electronic Devices (Ben G. Streetman) (Sixth Edition) (September 1, 2005) (TX0006221401)

14. Modern Control Engineering (Katsuhiko Ogata) (Third Edition)
(June 2, 1997) (TX0004542404)

15. Electric Circuits (James Nilsson) (Seventh Edition)
(November 30, 2006) (TX0006480516)

Schedule B
"Wiley Copyrights"

Title (Author) (Edition) (Date of Registration) (Registration #)

1. Advanced Calculus with Applications in Statistics, Second Edition (Andre Khuri) (ISBN 9780471391043) (January 30, 2003) (TX-5-667-244)
2. Advanced Computer Architecture and Parallel Processing (Hesham El-Rewini) (ISBN 9780471467403) (March 15, 2005) (TX-6-144-149)
3. An Introduction to Materials Engineering and Science: For Chemical and Material Engineers (Brian Mitchell) (ISBN 9780471436232) (January 23, 2004) (TX-5-950-999)
4. Analog Integrated Circuit Design (David Johns) (ISBN 9780471144489) (February 14, 1997) (TX-4-491-581)
5. Applied Mathematics and Modeling for Chemical Engineers (Richard Rice) (ISBN 9780471303770) (January 5, 1995) (TX-3-971-352)
6. Antenna Theory: Analysis and Design, Third Edition (June 17, 2005) (TX-6-211-605)
7. Applied Cryptography: Protocols, Algorithms and Source Code in C (Bruce Schneier) (ISBN 9780471128458) (February 16, 1996) (TX-4-216-579)
8. Applied Statistics and Probability for Engineers, Third Edition (Douglas Montgomery) (ISBN 9780471204541) (November 12, 2002) (TX-5-612-548)
9. Art of Software Testing, Second Edition (Glenford Myers) (ISBN 9780471469124) (July 30, 2004) (TX-6-006-600)
10. Automatic Control Systems, Eighth Edition (November 20, 2002) (TX-5-622-535)
11. Beginning Linux Programming, Fourth Edition (Neil Matthew) (ISBN 9780470147627) (May 6, 2009) (TX-6-966-446)
12. Behavioral Finance and Wealth Management (Michael Pompian) (ISBN 9780471745174) (July 10, 2006) (TX-6-401-904)

13. Bionanotechnology: Lessons from Nature (David Goodsell) (ISBN 9780471417194) (March 12, 2004) (TX-5-946-895)
14. Chemical and Engineering Thermodynamics, Third Edition (September 11, 1998) (TX-4-852-935)
15. Chemical Reaction Engineering, Third Edition (Octave Levenspiel) (TX-4-852-934) (September 11, 1998) (TX-4-852-934)
16. Communication Systems, Fourth Edition (Simon Haykin) (ISBN 9780471178699) (June 9, 2000) (TX-5-230-210)
17. Computational Chemistry Using the PC (Donald Rogers) (ISBN 9780471428008) (November 4, 2003) (TX-5-852-581)
18. Computational Organic Chemistry (Steven Bachrach) (ISBN 9780471713425) (November 18, 2008) (TX-7-041-968)
19. Control Systems Engineering, Fourth Edition (October 3, 2003) (TX-5-800-945)
20. Customer Identification Programs: Compliance, Operations and Audit (Steven Kilts) (ISBN 9780470054376) (February 18, 2009) (TX-7-021-245)
21. Data Engineering: Fuzzy Mathematics in Systems Theory and Data Analysis (Olaf Wolkenhauer) ISBN 9780471416562) (July 27, 2001) (TX-5-363-391)
22. Data Mining the Web: Uncovering Patterns in Web Content, Structure and Usage (Zdravko Markov) (ISBN 9780471666554) (July 7, 2008) (TX-6-941-614)
23. Data Structures and Algorithms with object-Oriented Design patterns in C++ (Bruno Preiss) (ISBN 9780471241348) (October 29, 1999) (TX-5-079-800)
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25. Design Through Verilog DHL (T.R. Padmanbhan) (ISBN 9780471441489) (December 16, 2003) (TX-5-869-420)
26. Discovering Knowledge in Data: An Introduction to Data Mining (Daniel Larose) (ISBN 9780471666578) (February 11, 2005) (TX-6-104-206)

27. Digital Image Processing: PIKS Scientific Inside (William Pratt) (ISBN 9780471767770) (January 30, 2008) (TX-6-839-986)

28. Electrochemical Methods and Applications, Second Edition (Allen Bard) (ISBN 9780471043720) (February 9, 2001) (TX-5-348-515)

29. Electronic Materials Science (Eugene Irene) (ISBN 9780471695974) (May 20, 2005) (TX-6-180-766)

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31. Essentials of Research Design and Methodology (Geoffrey Marczyk) (ISBN 9780471470533) (May 5, 2005) (TX-6-086-858)

32. Fundamentals of Digital Logic and Microcomputer Design, Fifth Edition (Mohamed Rafiquzzaman) (ISBN 9780471727842) (August 3, 2005) (TX-6-206-442)

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34. Fundamentals of Heat Exchanger Design (Ramesh Shah) (ISBN 9780471321712) (October 6, 2003) (TX-5-815-436)

35. Fundamentals of Modern Manufacturing: Materials, Processes and Systems, Third Edition (Mikell Groover) (ISBN 9780471744856) (August 3, 2006) (TX-6-399-338)

36. Fundamentals of Physics: Part 1, Eighth Edition (David Halliday) (ISBN 9780470044728) (September 17, 2007) (TX-6-827-902)

37. Fundamentals of Physics: Part 2, Eighth Edition David Halliday) (ISBN 9780470044728) (September 17, 2007) (TX-6-827-883)

38. Fundamentals of Semiconductor Fabrication (Gary May) (ISBN 9780471232797) (April 7, 2004) (TX-5-954-663)

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49. *Managing Power Electronics: VLSI and DSP-Driven Computer Systems* (Nazzareno Rossetti) (ISBN 9780471709596) (January 19, 2006) (TX-6-305-616)
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54. *Modern practice of Gas Chromatography* (Robert Grob) (ISBN 9780471597001) (October 2, 1995) (TX-4-137-136)

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- 67. Signals and Systems, Second Edition (Simon Haykin) (ISBN 9780471164746) (September 19, 2002) (TX-5-653-714)
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- 71. Wastewater Microbiology, Third Edition (Gabriel Bitton) (ISBN 9780471650713) (August 8, 2005) (TX-6-219-335)
- 72. Weibul Models (D.N. Prabhakar Murthy) (ISBN 9780471360926) (January 9, 2004) (TX-5-875-557)

Schedule C
"McGraw-Hill Copyrights"

Title (Author) (Edition) (Date of Registration) (Registration #)

1. Semiconductor Physics and Devices: Basic Principles (Donald A Neamen) (Third Edition) (November 13, 2002) (TX0005608842)
2. Thermodynamics: An Engineering Approach (Yunus Cengel) (Fifth Edition) (July 25, 2005) (TX0006204860)
3. Understanding Human Anatomy & Physiology (Mader) (Fifth Edition) (February 4, 2004) (TX0005929316)
4. Design of Analog CMOS Integrated Circuits (Razavi) (First Edition) (January 25, 2001) (TX0005339805)
5. Fundamentals of Finite Element Analysis (Hutton) (First Edition) (October 14, 2003) (TX0005824274)
6. Introduction to Operations Research (Hillier) (Seventh Edition) (October 14, 2004) (TX0006054836)
7. VHDL: Programming by Example (Perry) (Fourth Edition) (November 13, 2002) (TX0005608851)
8. Fundamentals of Digital Logic with VHDL Design (Brown) (Second Edition) (October 10, 2006) (TX0006442527)
9. Fundamentals of Vibrations (Meirovitch) (First Edition) (June 20, 2000) (TX0005244716)
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